

February 18, 2014

Department of Homeland Security Docket  
Office  
Docket No. DHS-2013-0075  
Technical Data Center, Room N-2625  
U.S. Department of Labor  
200 Constitution Avenue NW.,  
Washington, DC 20210

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Washington DC 20528

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Occupational Safety & Health  
Administration  
U.S. Department of Labor  
200 Constitution Avenue NW.,  
Washington, DC 20210

Re: Listening Session on President Obama's Executive Order 13650 - DHS-2013-0075

This is a formal comment to request to the Department of Homeland Security, the Environmental Protection Agency and the Department of Labor that a Listening Session on President Obama's Executive Order 13650 – DHS-2013-0075 be held in Charleston, West Virginia before March 31, 2014.

On January 9, 2014, 10,000 gallons of a coal processing chemical mix (MCHM and PPH) spilled from an above-ground storage facility located on the banks of the Elk River, 1.5 miles upstream from the only public water intake source that serviced 100,000 customers in a nine county region. By 6:30 pm that day, a DO NOT USE advisory had been issued by West Virginia American Water (WVAW), the private water distributor, and 300,000 residents were told not to drink or touch their tap water indefinitely. This use ban was incrementally lifted across the region starting on January 13, and customers were told to flush the contaminated water out through their home plumbing systems. Residents immediately began complaining of health problems, of continued odors, and discolored water. Odors from the chemical mix persist throughout the town of Charleston and outlying areas to this day.

More than three weeks since the spill, residents are still wary of their tap water. Limited information continues to be available about the exact chemical composite distributed in the public water, the public health impacts of those chemicals, the regulatory and industrial failure that led to the leak, the accurate and best way to remove the contaminated water

from home pipes and hot water heaters, and the long-term impacts of this incident on the Capitol Region and on the health and safety of one-sixth of the State's population. Additional information that comes out almost daily reinforces how little we know and how far we are from the situation being over. According to Governor Tomblin, in a letter submitted to FEMA on January 27:

... [D]espite best efforts of the company and government many people no longer view their tap water as safe and are continuing to demand bottled water to meet their potable water needs. It is impossible to predict when this will change, if ever.

West Virginians are concerned about their water, their health, and the economic future of their state because of the lack of safety and security at a local chemical facility. But this facility was one of many that we have in the Kanawha Valley and throughout the state. The 25-mile area of the Kanawha Valley has received more attention from the United States Chemical Safety Board in the last five years than any other area of the same size across the country yet still, their recommendations remain outstanding. We need improved guidance, standards and recommendations from the Executive Office regarding chemical facility safety and security that can be enforceable in our community. Both a lack of regulation and a lack of enforcement are directly linked to our current crisis. Additionally, we need inherently safe technology at these facilities, including safer chemicals, better worker safety training, better data coordination, and better coordination between local, state and federal officials and first responders.

This Executive Order is a direct way that we can address the regulatory breakdown that led to the chemical leak in Charleston. A Listening Session on this Order would hear from individuals, organizations and communities that are being actively impacted by a chemical safety crisis, and would ensure that the voices of impacted communities from across the country are included in the development of this Order.

As such, the 597 people signed onto this letter respectfully request that a Listening Session on President Obama's Executive Order 13650 – DHS-2013-0075 take place in Charleston, West Virginia as soon as possible.

Comments Submitted on Behalf of,

Ex. 6 - Personal Privacy People Concerned about Chemical Safety, Charleston WV  
Ex. 6 - Personal Privacy WV Community Development Hub, Charleston WV  
Ex. 6 - Personal Privacy Nitro WV  
Ex. 6 - Personal Privacy WV Citizen Action Group, Charleston WV

	Ex. 6 - Personal Privacy	Shepherds WV
Ex. 6 - Personal Privacy	West Virginians for Affordable Health Care,	Charleston WV
	Ex. 6 - Personal Privacy	WV Citizen Action Group,
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Ex. 6 - Personal Privacy	Citizens Actively Protecting their Environment (CAPE),	Charleston WV
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